

## **REMARKS/ARGUMENTS**

The Final Office Action mailed November 10, 2009 has been carefully reviewed and these remarks are responsive to that Office Action. Reconsideration and allowance of this application are respectfully requested. Claims 1-25, 29-31 are pending in this application. Claims 1-10, 18, 21-23, and 29 have been amended to place them in better form and to correct a typographical error. The Examiner is requested to call the undersigned by phone if it is felt that this response does not place the Application in condition for allowance.

### **Examiner Interview**

Applicants thank the Examiner for the interview on January 6, 2010. During the interview, the Examiner suggested that clarifying how the discussion of “warp units” and “occlusion masks” in Rosser1 (US Patent No. 6,446,261) is different from the claimed morphing of an interactive channel bug as discussed in the independent claims may overcome the prior art of record. Thus, in this response, Applicants have included further arguments that discuss this distinction.

### **Rejections under 35 U.S.C. § 103**

Claims 1-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Knudson et al. (US Patent No. 6,536,041), hereinafter referred to as Knudson, in view of Rosser (US Patent No. 6,446,261), hereinafter referred to as Rosser1. Claims 29-31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Knudson and Rosser1 in view of Rosser (US Patent No. 6,750,919), hereinafter referred to as Rosser2.

Independent claim 1 has been amended to recite, *inter alia*:

morphing an interactive channel into the received broadcast,

wherein the interactive channel bug is used to facilitate interactivity without the need for tuning to a dedicated channel associated with interactive services and to provide the received broadcast and the interactive channel bug to the display

Neither Knudson nor Rosser1, alone or in combination, disclose or suggest at least this feature of claim 1. The Office Action admits on page 5 that Knudson does not disclose or suggest “morphing an interactive channel into the received broadcast, wherein the interactive channel bug is used to facilitate interactivity without the need for tuning to a dedicated channel associated with interactive services and to provide the received broadcast and the interactive channel bug to the display,” as claimed. (See Office Action, page 5). However, the Office Action alleges that Rosser1 describes this feature of independent claim 1. (See Office Action, page 5, “In an analogous art, Rosser teaches using occlusion masks to warp an image onto a broadcast at the STB. The warping takes place at warp unit 100 which is at the STB.”)

Applicants respectfully disagree. The warping of images using occlusion masks and the warp unit 100 are not equivalent to morphing “an interactive channel bug into the received broadcast . . .” as claimed. The warp unit 100 “takes the appropriate model information 88 and uses it to warp the appropriate text video 98 and the appropriate video insertion 90 into the appropriate pose required to make the insertion behave as if it were part of the natural scene.” (See Rosser1, column 10, lines 31-35.) Thus, the warping process of Rosser1 merely warps still, animated, or live video inserts (See Rosser1, column 7, lines 41-42.) into an original video stream to help in displaying the inserts with the original video. Therefore, the warping of inserts in Rosser1 is not equivalent to morphing “an interactive channel into the received broadcast, wherein the interactive channel bug is used to facilitate interactivity without the need for tuning to a dedicated channel associated with interactive services,” as claimed.

None of the other cited references (e.g. Rosser2, etc) overcome these deficiencies of Rosser1. In addition, Applicant respectfully disagrees that the cited references are properly combinable as asserted in the 103 rejection. For at least these reasons, independent claim 1 distinguishes over the references of record and is in condition for allowance. Claims 2-9 depend from claim 1 and are distinguishable for at least the same reasons as claim 1, and further in view of the various features recited therein.

Independent claims 10 and 18 have features similar to those of claim 1 discussed above. Therefore, claims 10 and 18 are in condition for allowance for at least similar reasons to those given in support of claim 1. Dependent claims 11-17, 19-25 depend on claims 10 or 18 and are in condition for allowance at least due to their dependence on an allowable claim as well as the features they recite.

Independent claim 29 has been amended to recite, *inter alia*:

aligning an interactive bug over the non-interactive broadcast bug at the position without user intervention

Knudson, Rosser1, and Rosser2, either alone or in combination, do not disclose or suggest at least this feature of claim 29. As stated above for independent claim 1, Rosser1 does not disclose or suggest the use of an interactive bug. Meanwhile, the program guide system and controllable ticker of Knudson are not an interactive bug, as neither of these items in Knudson introduce interactivity into the receiver. In addition, Rosser2 “relates to a system and method for placing event related information into a video broadcasting so that the added information does not interfere with or obscure the primary action of interest in the broadcast.” (See abstract of Rosser2.) While Rosser2 does describe non-interactive images being morphed into a broadcast stream, it does not disclose or suggest “aligning an interactive bug over the non-interactive broadcast bug at the position without user intervention” as claimed. In fact, Rosser2 does not even disclose an interactive channel bug because the images inserted into the video stream are non-interactive. For instance, in one example given in Rosser2, in order to display the speed of a pitch in a baseball game as a background graphic, the system of Rosser2 inserts a live shot of a camera trained on a scoreboard displaying the pitch speed, morphing from the scoreboard to a rendering of the scoreboard displaying the measured speed of the pitch. (See Rosser2, column 2, lines 30-55.) The insertion of these graphics is clearly not an interactive bug. (See paragraph 23 of the specification, “The interactive channel bug can launch a rollout menu of standard services, such as news, weather, and sports related to the broadcasted content. Another channel bug form may be an animated channel bug that indicates additional interactivity associated with the current broadcast. Yet another form may be a channel bug including an image that indicates a purchase opportunity. These types of channel bugs described herein can be used to support broadcast advertising partners and to launch product purchases and/or product information services.”)

For at least these reasons, independent claim 29 is in condition for allowance. Claims 30-31 depend from claim 29 and are distinguishable for at least the same reasons as claim 29, and further in view of the various features recited therein.

All objections and rejections have been addressed. Hence, it is respectfully submitted

that the present application is in condition for allowance, and a notice to that effect is earnestly solicited.

Respectfully submitted,

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